



U.S. Department of Justice

Civil Rights Division

Office of the Assistant Attorney General

Washington, D.C. 20035

AUG 19 1997

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Jerald N. Jones, Esq.
City Attorney
P.O. Box 31109
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Dear Ms. LaPlace and Mr. Jones:

This refers to Act No. 240 (1997), which changes the method of election from at large to two double-member districts, adopts a districting plan, designates Divisions "A" and "B" to District 1 and Divisions "C" and "D" to District 2; and the procedures for conducting an October 18, 1997, primary and a November 15, 1997, general election for the Shreveport City Court in Bossier and Caddo Parishes, Louisiana. We received your submission on June 20, 1997; supplemental information was received on July 1, 1997.

This also refers to your request that the Attorney General reconsider and withdraw the September 6, 1994, objection interposed under Section 5 to: Act No. 6 (1968), which provides that the boundaries of the Shreveport City Court will be expanded to include areas annexed to the City of Shreveport; Act No. 15 (1970), to the extent it created a third city court judgeship (Division "C"); and Act No. 501 (1992), to the extent it created a fourth city court judgeship (Division "D"). We received your request on June 20, 1997.

On July 7, 1997, we notified interested parties that in light of the new method of election adopted in Act No. 240 we would reconsider the objections interposed by the Attorney General to more than 300 annexations to the Shreveport City Court.

Finally, based on our reconsideration of our objections to the annexations, we reopened Section 5 consideration of a deannexation (Ordinance No. 77 (1994)) from the city court of territory that had been previously annexed without Section 5 preclearance.

In interposing our previous objections to voting changes submitted on behalf of the Shreveport City Court, we explained that the submitted annexations to the boundaries and electorate of the court resulted in an 11-percentage-point reduction in the minority population which, in the context of racial bloc voting that appeared to characterize city court elections, resulted in a retrogression in the ability of black voters to elect candidates of their choice. We noted that such a result may nevertheless warrant preclearance under Section 5 if the city court had an electoral system "which would afford [black voters] representation reasonably equivalent to their political strength in the enlarged community." City of Richmond v. United States, 422 U.S. 358, 370 (1975). However, our examination of both the electoral system currently in place and the one proposed to be implemented by Act No. 501 (1992) concluded that neither fairly reflected minority voting strength.

In contrast, the double-member district election system proposed by Act No. 240 (1997), containing one district with a black voting age population of 68 percent, provides the minority community representation fairly reflecting their voting strength in the enlarged boundaries of the city court.

Accordingly, the Attorney General does not interpose any objection to Act No. 240 (1997) and the deannexation (Ordinance No. 77 (1994)). In addition, pursuant to Section 51.48(b) of the Procedures, the objections interposed to Act No. 6 (1968), which provides that the boundaries of the Shreveport City Court will be expanded to include areas annexed to the City of Shreveport; Act No. 15 (1970), to the extent it created a third city court judgeship (Division "C"); and Act No. 501 (1992), to the extent it created a fourth city court judgeship (Division "D"), are hereby withdrawn. However, we note that the failure of the Attorney General to object does not bar subsequent litigation to enjoin the enforcement of the changes. See 28 C.F.R. 51.41.

The provisions of Act No. 6 (1968) are enabling in nature. Therefore, the City of Shreveport and the Shreveport City Court are not relieved of their responsibility to seek Section 5 preclearance on behalf of both jurisdictions for boundary changes which affect both entities. Of course, for those city annexations and deannexations involving territory within Ward 4 of Caddo Parish, preclearance should be sought only for the City of Shreveport inasmuch as state law provides that the entirety of Ward 4 lies within the boundaries of the city court.

We understand that the schedule for the special city court elections is no longer capable of administration as originally proposed because the candidate qualifying period, due to begin on August 13, 1997, was not opened as scheduled because of the absence of Section 5 preclearance. Accordingly, the Attorney General will make no determination with regard to the special election procedures as submitted. See 28 C.F.R. 51.25 and 51.35. When an election schedule incorporating a new qualifying period is adopted, preclearance under Section 5 should be sought. We are prepared to provide expedited consideration to the submission of the new election schedule so that elections to the Shreveport City Court not be further delayed.

Sincerely,

A handwritten signature in black ink, appearing to read "Isabelle Katz Pinzler", written in a cursive style.

Isabelle Katz Pinzler
Acting Assistant Attorney General
Civil Rights Division